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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA,	)	No. CR 06-00399-WHA
	)	
12 Plaintiff,	)	<b>STIPULATION AND <del>PROPOSED</del></b>
	)	<b>ORDER CONTINUING SENTENCING</b>
13 vs.	)	<b>DATE</b>
	)	
14 YING HER,	)	Date: August 29, 2006
	)	Time: 2:00 p.m.
15 Defendant.	)	Court: Honorable William Alsup
	)	

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16  
17 **STIPULATION**

18 The parties agree to continue the above-reference sentencing from August 29, 2006, until  
19 September 26, 2006. The purpose of the continuance is due to the fact that counsel for Mr. Her,  
20 David Fermino, is now in private practice, and new undersigned counsel will need time to review  
21 the case and prepare for the sentencing in this matter. Mr. Her has not yet been interviewed by  
22 United States Probation Officer, Sara Black. United States Probation Officer Sara Black has  
23 informed the parties that the draft Presentence Report is currently due within her office on July  
24 18, 2006, and that the new sentencing date should be at least sixty days after the presentence  
25 interview. Undersigned defense counsel and United States Probation Officer Sara Black intend  
26 to complete the presentence interview during the week of July 23, 2006.

United States Probation Officer Sara Black has been informed about the request to continue the sentencing in this matter, and has no objection to the defendant's request for a continuance. Defense counsel will ensure that Ms. Black receives a copy of this Court's order, should the Court grant the request.

**IT IS SO STIPULATED**

Dated: 7/17/2006

/S/  
SHAWN HALBERT  
Assistant Federal Public Defender

Dated: 7/17/2006

/S/  
WILLIAM MARTIN  
Assistant United States Attorney

I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/) within this e-filed document.

**[PROPOSED] ORDER**

Based upon the aforementioned, and for good cause shown, it is here ORDERED that the sentencing proceedings for defendant Ying Her are hereby CONTINUED from August 29, 2006 to September 26, 2006 at 2:00 p.m.

IT IS SO ORDERED

Date: 7/21/06

